

1) Name of Person Filing: William McElroy
Mailing Address: 1300 Juniper Ave
City, State, Zip Code: Las Cruces, NM 88001
Phone Number(s): (505) 863-7605
Attorney Bar Number (if applicable): n/a
Representing Self (Without a Lawyer) OR
Attorney for Plaintiff OR Defendant

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BY: <u>BA</u> DEPUTY

**SUPERIOR COURT OF ARIZONA
Cochise COUNTY**

2) William McElroy
Plaintiff

3) Case Number: **CV201900149**

4) Doug Esteves
Defendant(s) AND
Cochise County Treasurer

**COMPLAINT TO FORECLOSE THE RIGHT
TO REDEEM A TAX LIEN**

DIV. 4

STATEMENT TO THE COURT:

5) Plaintiff claims an interest in the property in Cochise County described below. Defendant(s) are not under age 18, legally incapacitated, or in military service. I gave notice of my intent to file for foreclosure, pursuant to ARS § 42-18202, on this date: March 7th, 2019 by certified mail.

6) To pay for delinquent taxes legally levied and assessed against the property and interest, penalties, and charges, the Cochise County Treasurer sold the tax lien on the property to me as follows. The Certificate of Purchase has been issued or lawfully assigned to me.

Property Street Address (if applicable): n/a

Assessor Parcel Number: 119-10-001C7

Legal Description of the Real Property: PARCEL 3 PER R/S BK32 PG34 AKA SESE OF
SEC 6-11-24 10.02AC

Date of Sale: 2/23/2012

Certificate of Purchase Number: 136322

The sale was valid, and the taxes due and owing on the property were delinquent at the time of sale.

Over three years have passed since the date of sale. The Certificate of Purchase on the property was validly assigned to and owned by the Plaintiff, who has paid all amounts legally due thereon. No party has redeemed the property; therefore, Plaintiff is entitled to foreclose the rights of all Defendants to redeem the property and to be adjudged the owner of the property in fee simple, free and clear of liens, claims, rights and interests of any of the defendants herein.

Case No. _____

REQUEST TO THE COURT:

7) Order that, if Defendant(s) want to redeem the property from sale, Defendant(s) shall pay Plaintiff the costs incurred, if any, for title search, recording fees, court filing fee, service of process, reasonable attorney fees, and the amount of the Certificate of Purchase and payment of all subsequent taxes plus interest on that amount at the following rate of interest per annum from the date paid: 16 %

OR, declare that the sale of the property, Certificate of Purchase and service of process are valid; that at the sale of the tax lien on the property the taxes on it were delinquent; that over three years have passed since the sale; that the property has not been redeemed; and that Defendant(s) right to redeem the property is forever foreclosed and Defendant(s) are barred forever and stopped from having or claiming any right or title adverse to me.

Enter a judgment in this matter pursuant to Rule 54, Arizona Rules of Civil Procedure, as there is no reason for delay. And, upon finding compliance with ARS § 42-18205, order the Cochise County Treasurer to execute and deliver to Plaintiff a deed conveying the property.

Order any further relief for Plaintiff, including costs and attorney fees, that the court deems appropriate, based on Plaintiff's submission of an itemized statement to the court.

OATH OR AFFIRMATION

State of Arizona
County of Cochise ss.

8) I swear or affirm that the information on this document is true and correct under penalty of perjury.

Plaintiff's Signature



April 18, 2019

Date

Sworn to or Affirmed before me this date: April 18, 2019

By William McElroy

My Commission Expires: _____

Deputy Clerk or Notary Public

